

December 13, 2019



Talbot County Short-Term Rental Review Board

Final Minutes

Thursday, October 17, 2019 at 1:00 p.m.
Community Center, Wye Oak Room
10028 Ocean Gateway, Easton, Maryland

Attendance:

Commission Members:

Scott Kane, Chairman
David McQuay, Vice Chairman
John "Jack" Hall
Martha Suss
Tammy Broll

Staff:

Mary O'Donnell, Assistant County Attorney
Miguel Salinas, Assistant Planning Officer
Elisa Deflaux, Environmental Planner
Chris Corkell, Recording Secretary

1. **Call to Order** - The Chair called the meeting to order on October 17, 2019 at 1:00 p.m. Mr. Kane opened the meeting.

2. **Administrative Matters** – Mr. Salinas discussed the handout referencing STR regulations that will be in a letter to be sent out to all STR rental owners to remind them of important operating regulations. The letter will be sent out every year and included with the issuance of a new license. He also stated staff will be creating a "how to be a good neighbor" flyer or poster for homeowners to post on the property. Mr. Kane asked the Board to take the letter as an action item to review and provide comments back to Mr. Salinas. Mr. Salinas explained that the second administrative matter was related to the Board's packages. Over 4,000 copies were made that past month which comes out of the Planning and Zoning budget and no additional funds were provided in the Department's budget when the Board was established. Staff is proposing to revise the Board's checklist to reduce the number of pages that the Board receives in packages. Originals of the documents not included in the Board's packages would be at the meeting and also available for review before the meeting for inspection if needed. Mr. Kane asked to meet with staff to review what is necessary for the packages.

Mary O'Donnell provided a brief summary in reference to provisional licenses.

3. **Minutes** – Mr. Hall made a motion to approve the minutes for September 12, 2019, seconded by Ms. Broll. The motion carried unanimously. Mr. Hall made a motion to approve the minutes for September 17, 2019 and September 19, 2019 with corrections to change the days to Tuesday on the 17th and Thursday on the 19th on both meetings, seconded by Mr. McQuay. The motion carried unanimously.

4. **Old Business** – None.

5. **New Business** –

53
54 a. Duck Cove Cottage/Robert and Karen Gladden, ST-639-GLA, 6398 Duck Cove
55 Road, Neavitt, MD 21652, (Map 39, Grid 20, Parcel 144, Zoned Village Residential).
56 Ms. Deflaux presented the staff report for the Short-Term Rental (STR) license
57 application. Jodie Hardesty/Eastern Shore Vacation Rental is the Resident Agent.
58 Ms. Hardesty and Mr. Gladden gave some history on the property and explained that
59 the rooms upstairs would be closed off and locked for guest. Mr. Salinas and Brent
60 Garner spoke about the safety issues and how the interconnective smoke alarms work.
61

62 The Board called for Public comment and no one testified. Written comments were
63 received by the Board from Ms. duPont.
64

65 **Mr. Hall made a motion to approve the STR application for two bedrooms for**
66 **6398 Duck Cove Road, with staff conditions, seconded by Mrs. Suss. The motion**
67 **carried unanimously.**
68

69 b. Evergreen, LLC, ST-419-EVE, 4190 Evergreen Road, Oxford, MD 21601, (Map
70 31, Grid 3, Parcel 29. Zoned Rural Conservation). Ms. Deflaux presented the staff
71 report for the Short-Term Rental (STR) license application. Mr. Bowie gave a history
72 on the application and the property he manages; he lives in Talbot County. He may
73 decide to hire Eastern Shore Vacation Rental as the resident agent. The family just
74 refurnished the home and have been fixing it up to rent. A question was raised by Mr.
75 Hall in reference to the 1000' notification requirement - if the measurement was from
76 the dwelling. Mary O'Donnell read from Talbot County Code and it is measured from
77 the dwelling.
78

79 The Board called for Public comment and no one testified. Written comments were
80 received by the Board from Ms. duPont.
81

82 **Mr. McQuay made a motion to approve the STR application for five bedrooms**
83 **for 4190 Evergreen Road, with staff conditions, seconded by Mr. Hall. The**
84 **motion carried unanimously.**
85

86 c. Heather Leonard, ST-847-LEO, 8478 Jane Lowe Road, Easton, MD 21601, (Map
87 34, Grid 7, Parcel 6, Lot 1. Zoned Rural Conservation). Mr. Salinas read the
88 memorandum to the Board for the waiver request for a non-compliant safety
89 requirement related to emergency escape and rescue openings in the bedrooms and
90 for the interconnectivity requirement for smoke detectors. Dawn Lednum with
91 Chesapeake Bay Real Estate is the Resident Agent. Ms. Leonard gave a history on the
92 property, including inspections. Brent Garner and Miguel Salinas spoke about the
93 requirements and that only one window in each bedroom must meet the net clear
94 window opening. Mr. McQuay stated this is a life-saving issue and the Board cannot
95 be flexible. Mary O'Donnell explained that the Code allows for waivers for renewal
96 applications only and that the County Council had given them the right and authority

97 to decide on waiver requests. The Board also gave Ms. Leonard the option to correct
98 the safety issues and have them re-inspected; the application can then be reviewed
99 and approved by Planning and Zoning for the license to be issued.

100
101 The Board called for Public comment and no one testified. Written comments were
102 received by the Board from Ms. duPont.

103
104 **Mrs. Suss made a motion to grant the waiver. The Motion failed for a lack of**
105 **second. Mr. Hall made a motion to the deny the waiver, seconded by Mr.**
106 **McQuay. The motion carried unanimously (4-0-1, Mrs. Suss abstained).**

107
108 Mr. Kane stated he would like to delay the decision for 30 days so that applicant can
109 explore more detail and reasonable alternatives. Ms. O'Donnell clarified that she
110 didn't hear the motion was to deny the application; what she heard was to the deny
111 the waiver. Mr. Salinas explained the appeal process.

112
113 d. Lee Haven/Timothy and Lissete Wharton, ST-801-WHA, 8017 Lee Haven Road,
114 Easton, MD 21601 (Map 34, Grid 7, Parcel 6, Lot 1. Zoned Rural Conservation). Ms.
115 Deflaux presented the staff report for the Short-Term Rental (STR) license
116 application. Jodie Hardesty/Eastern Shore Vacation Rental is the Resident Agent.
117 Mr. Wharton gave some history on his property. Ms. Hardesty explained how they
118 will combine their document with the County's house rules and noted there were no
119 noise complaints on this property.

120
121 The Board called for Public comment and no one testified. Written comments were
122 received by the Board from Ms. duPont and Jeanne Fellowes.

123
124 **Ms. Broll made a motion to approve the STR application for five bedrooms for**
125 **8017 Lee Haven Road, with staff conditions, seconded by Mr. Hall. The motion**
126 **carried unanimously.**

127
128 e. The Roost/Luisa and Brendan Gallagher, ST-215-GAL, 21587 Chicken Point
129 Road, Tilghman, MD 21671, (Map 44A, Parcel 34. Zoned Village Mixed). Ms.
130 Deflaux presented the staff report for the Short-Term Rental (STR) license
131 application. The Resident Agent is Kathleen Romberger. Mrs. Gallagher gave a
132 history on the property and application. Ms. O'Donnell explained how this was
133 recently for two bedrooms as the 3rd bedroom did not meet safety standards in the
134 code. They have now made those corrections and are asking to expand the license to
135 rent 3 bedrooms. They mostly rent in the summer and there have been no complaints
136 on the property and have been renting since 2013 with good experiences. This will be
137 their retirement home.

138
139 The Board called for Public comment, no one testified. Written comments were
140 received by the Board from Ms. duPont,

141
142 **Mrs. Suss made a motion to approve the STR application for three bedrooms for**
143 **21587 Chicken Point Road, with staff conditions, seconded by Mr. McQuay. The**
144 **motion carried unanimously.**
145

146 f. Bay Pines Cottage/Michael and Naomi McCafferty, ST-676-MCC, 6763
147 Thornton Road, Royal Oak, MD 21662 (Map 40, Grid 17, Parcel 78. Zoned Rural
148 Residential). Ms. Deflaux presented the staff report for the Short-Term Rental (STR)
149 license application. The Resident Agent is Chesapeake Bay Real Estate Plus/Maureen
150 McHugh. Mr. McCafferty gave a history on his property and application. The staff
151 report noted an accessory dwelling. However, there is no accessory dwelling on the
152 property. They have not had any noise complaints and have been renting off and on
153 since 2006. Mr. McQuay discussed the inspections that had previously failed. Ms.
154 McHugh stated all inspections have been passed by the County's Inspector Larry
155 Schuyler. Mr. Salinas addressed concerns about the adjacent property list in the
156 package; an additional sheet of neighboring property addresses was handed in with
157 the application.
158

159 The Board called for Public comment and no one testified. Written comments were
160 received by the Board from Ms. duPont,
161

162 **Mr. Hall made a motion to approve the STR application for four bedrooms for**
163 **6763 Thornton Road, with staff conditions, seconded by Mr. Hall. The motion**
164 **carried unanimously.**
165

- 166 6. **Other Matters for Discussion** – Laura Carney wanted to share some positive feedback,
167 her personal experience and letters with the Board on renting out her property. Ms.
168 Carney read a few letters that she received from her guest that had rented rooms in her
169 home.
170

171 Mr. Salinas explained how the public notices include adjacent properties, neighboring
172 property lines within 1000' from the dwelling, properties within 1000' across water.
173

174 **Adjournment** - The Chair called the meeting to adjourn. The meeting was adjourned at
175 3:10 p.m.
176

177 Read and approved by the Board on 12/19/2019.
178

179 Scott Kane
180
181
182 Chair